

Amendment to the Claims/Listing Of Claims

Claims 1-6, 10, 13-25 and 28-40 are pending in the application. By this Amendment, claims 1-6, 10, 13-25 and 28-40 are canceled without prejudice or disclaimer. New claims 41-48 are added. The following listing of claims will replace all prior versions and listings of claims in this application.

Claims

1-6 (cancelled)

7-9 (previously cancelled)

10 (cancelled)

11-12 (previously cancelled)

13-25 (cancelled)

26-27 (previously cancelled)

28-40 (cancelled)

41. (new) An image capture apparatus comprising:

an image capture unit adapted to capture an image using an image pickup element;

a switch adapted to instruct the image capture apparatus to start to capture the image to be recorded on a recording unit; and

a control unit adapted to control the recording process of recording an image captured after the switch is operated,

wherein the control unit controls the recording process using a first value indicating an exposure of an image captured before the switch is operated and a

second value indicating an exposure of an image captured after the switch is operated.

42. (new) An apparatus according to claim 41, wherein the control unit determines whether to notify a user with a warning or not according to a difference between the first value and the second value.
43. (new) An apparatus according to claim 41, wherein the control unit also controls the recording process using a third value indicating a white balance of an image captured before the switch is operated and a fourth value indicating a white balance of an image captured after the switch is operated.
44. (new) An apparatus according to claim 43, wherein the control unit determines whether to notify a user with a warning or not according to a difference between the third value and the fourth value.
45. (new) An image capture apparatus comprising:
 - an image capture unit adapted to capture an image using an image pickup element;
 - a switch adapted to instruct the image capture apparatus to start to capture the image to be recorded on a recording unit; and
 - a control unit adapted to control a recording process of recording an image captured after the switch is operated,wherein the control unit controls the recording process using a first value indicating a white balance of an image captured before the switch is operated and a second value indicating a white balance of an image captured after the switch is operated.

46. (new) An apparatus according to claim 45, wherein the control unit determines whether to notify a user with a warning or not according to a difference between the first value and the second value.
47. (new) An apparatus according to claim 45, wherein the control unit also controls the recording process using a third value indicating an exposure of an image captured before the switch is operated and a fourth value indicating an exposure of an image captured after the switch is operated.
48. (new) An apparatus according to claim 47, wherein the control unit determines whether to notify a user with a warning or not according to a difference between the third value and the fourth value.